

**ALASKA STATE LEGISLATURE
SENATE LABOR AND COMMERCE STANDING COMMITTEE**

March 29, 2021

1:30 p.m.

MEMBERS PRESENT

Senator Mia Costello, Chair
Senator Roger Holland, Vice Chair
Senator Joshua Revak
Senator Gary Stevens
Senator Elvi Gray-Jackson

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

CONFIRMATION HEARING(S)

Alaska Labor Relations Agency
Tyler Andrews - Anchorage
Dennis DeWitt - Juneau

- CONFIRMATIONS ADVANCED

Alaska Workers' Compensation Board
Anthony Ladd - Anchorage
Jason Motyka - Anchorage

- CONFIRMATIONS ADVANCED

Board of Social Work Examiners
Mindy Swisher - Palmer
Sharon Woodward - Juneau

- CONFIRMATIONS ADVANCED

Board of Dental Examiners
Gregory Johnson - Fairbanks

- CONFIRMATION ADVANCED

Board of Professional Counselors
Dorene "Dori" Hagen - Homer

- CONFIRMATION ADVANCED

Board of Veterinary Examiners
Denise Albert - Denali Park

- CONFIRMATION ADVANCED

Marijuana Control Board
Nicholas "Nick" Miller - Anchorage

- CONFIRMATION ADVANCED

Board of Registration for Architects, Engineers, & Land Surveyors
Loren Leman - Anchorage

- CONFIRMATION ADVANCED

Board of Marital & Family Therapy
Joy Collins - Anchorage

- CONFIRMATION ADVANCED

SENATE BILL NO. 40
"An Act relating to veterans' benefits services and veterans' benefits appeal services."

- MOVED SB 40 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 40

SHORT TITLE: VETERANS' BENEFITS SERVICES; DISCLOSURE
SPONSOR(S): SENATOR(S) REVAK

01/25/21	(S)	PREFILE RELEASED 1/15/21
01/25/21	(S)	READ THE FIRST TIME - REFERRALS
01/25/21	(S)	STA, L&C
03/04/21	(S)	STA AT 3:30 PM BUTROVICH 205
03/04/21	(S)	Heard & Held
03/04/21	(S)	MINUTE(STA)
03/11/21	(S)	STA AT 3:30 PM BUTROVICH 205
03/11/21	(S)	Heard & Held
03/11/21	(S)	MINUTE(STA)
03/18/21	(S)	STA AT 3:30 PM BUTROVICH 205
03/18/21	(S)	Moved SB 40 Out of Committee

03/18/21	(S)	MINUTE (STA)
03/19/21	(S)	STA RPT 4DP
03/19/21	(S)	DP: SHOWER, HOLLAND, COSTELLO, REINBOLD
03/19/21	(S)	OBJECTION (REGARDING REPORTING OUT OF COMMITTEE PROCESS)
03/19/21	(S)	POSTPONE QUESTION TO MARCH 24 Y14 N2 E3 A1
03/22/21	(S)	OBJECTION WITHDRAWN (REGARDING REPORTING OUT OF COMMITTEE PROCESS)
03/29/21	(S)	L&C AT 1:30 PM BELTZ 105 (TSBldg)

WITNESS REGISTER

TYLER ANDREWS, Appointee
 Alaska Labor Relations Agency
 Department of Labor and Workforce Development (DOLWD)
 Anchorage, Alaska
POSITION STATEMENT: Testified for reappointment to the Alaska Labor Relations Agency.

DENNIS DEWITT, Appointee
 Alaska Labor Relations Agency
 Department of Labor and Workforce Development (DOLWD)
 Juneau, Alaska
POSITION STATEMENT: Testified as appointee to the Alaska Labor Relations Agency.

ANTHONY LADD, Appointee
 Alaska Workers' Compensation Board
 Department of Labor and Workforce Development (DOLWD)
 Anchorage, Alaska
POSITION STATEMENT: Testified as appointee to the Alaska Workers' Compensation Board.

JASON MOTYKA, Appointee
 Alaska Workers' Compensation Board
 Department of Labor and Workforce Development (DOLWD)
 Anchorage, Alaska
POSITION STATEMENT: Testified as appointee to the Alaska Workers' Compensation Board.

MINDY SWISHER, Appointee
 Board of Social Work Examiners
 Department of Commerce, Community and Economic Development
 Fairbanks, Alaska
POSITION STATEMENT: Testified as appointee to the Board of Social Work Examiners.

SHARON WOODWARD, Appointee
Board of Social Work Examiners
Department of Commerce, Community and Economic Development
Juneau, Alaska

POSITION STATEMENT: Testified for reappointment to the Board of Social Work Examiners.

GREGORY JOHNSON, Appointee
Board of Dental Examiners
Department of Commerce, Community and Economic Development
Fairbanks, Alaska

POSITION STATEMENT: Testified as appointee to the Board of Dental Examiners.

DORENE "DORI" HAGEN, Appointee
Board of Professional Counselors
Department of Commerce, Community and Economic Development
Homer, Alaska

POSITION STATEMENT: Testified as appointee to the Board of Professional Counselors.

DR. DENISE ALBERT, Appointee
Board of Veterinary Examiners
Department of Commerce, Community and Economic Development
Denali Park, Alaska

POSITION STATEMENT: Testified as appointee to the Board of Veterinary Examiners.

NICHOLAS "NICK" MILLER, Appointee
Marijuana Control Board
Department of Commerce, Community and Economic Development
Anchorage, Alaska

POSITION STATEMENT: Testified for reappointment to the Marijuana Control Board.

CHERYL BOWIE, representing self
Colorado

POSITION STATEMENT: Testified in opposition to reappointing the same members to the Marijuana Control Board.

LACY WILCOX, President
Alaska Marijuana Industry Association (AMIA)
Juneau, Alaska

POSITION STATEMENT: Testified on behalf of AMIA in support of Nick Miller's reappointment to the Marijuana Control Board.

RYAN TUNSETH, representing self
Kenai, Alaska

POSITION STATEMENT: Testified in support of the reappointment of Nick Miller to the board.

LOREN LEMAN, Appointee
Board of Registration for Architects, Engineers & Land Surveyors
Department of Commerce, Community and Economic Development
Anchorage, Alaska

POSITION STATEMENT: Testified as appointee to the Board of Registration for Architects, Engineers, and Land Surveyors.

JOY COLLINS, Appointee
Board of Marital and Family Therapy
Department of Commerce, Community and Economic Development
Anchorage, Alaska

POSITION STATEMENT: Testified as appointee to the Board of Marital and Family Therapy.

SETH DUGGAN, Staff
Senator Josh Revak
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: introduced SB 40 on behalf of the sponsor

VERDIE BOWEN, Administrative Director of Veterans Affairs
Office of Veterans Affairs
Department of Military & Veterans Affairs (DMVA)
Anchorage, Alaska

POSITION STATEMENT: Provided supporting testimony for SB 40.

ACTION NARRATIVE

[1:30:34 PM](#)

CHAIR MIA COSTELLO called the Senate Labor and Commerce Standing Committee meeting to order at 1:30 p.m. Present at the call to order were Senators Gray-Jackson, Revak, Stevens, Holland, and Chair Costello.

She reviewed the agenda.

CONFIRMATION HEARING(S)
Alaska Labor Relations Agency
Alaska Workers' Compensation Board
Board of Social Work Examiners
Board of Dental Examiners

Board of Professional Counselors
Board of Veterinary Examiners
Marijuana Control Board
Board of Registration for Architects, Engineers & Land Surveyors
Board of Marital & Family Therapy

[1:31:48 PM](#)

CHAIR COSTELLO announced the consideration of Governor Appointees to Boards and Commissions. She explained the process to the appointees.

CHAIR COSTELLO asked Tyler Andrews to introduce himself, provide a brief background, and share his interest in serving on the Alaska Labor Relations Agency.

[1:33:02 PM](#)

TYLER ANDREWS, Appointee, Alaska Labor Relations Agency, Department of Labor and Workforce Development (DOLWD), Anchorage, Alaska, related that he was seeking reappointment to a management seat on this board. He serves because it is an opportunity to give back to the state. He has enjoyed serving and learning different aspects of his profession. He said he looks forward to continuing to serve and he believes the system is functioning such that adjudications are quick and proper.

CHAIR COSTELLO noted that his experience includes work in labor relations with the Chugach Electric Board for nine years and more than ten collective bargaining agreements representing the state. She found no questions and thanked him for being willing to serve the state in this capacity.

[1:34:46 PM](#)

CHAIR COSTELLO opened public testimony on the appointment of Tyler Andrews to the Alaska Labor Relations Agency; finding none, she closed public testimony.

CHAIR COSTELLO asked Dennis DeWitt to introduce himself, provide a brief background, and share his interest in serving on the Alaska Labor Relations Agency.

[1:35:27 PM](#)

DENNIS DEWITT, Appointee, Alaska Labor Relations Agency, Department of Labor and Workforce Development (DOLWD), Juneau, Alaska, stated that he and his wife live and raised their family in Juneau. He arrived initially in 1980. He related that he has worked in and around government for most of his career,

including as the director of the Division of Pioneer Benefits, special assistant to Governor Murkowski, and staff for the House Finance Committee where he worked on labor relation issues. He opined that his background prepared him well to be a member of the Alaska Labor Relations Agency. He recounted the responsibilities to listen, review pertinent statutes and previous board decisions, and render fair decisions. He said he believes that serving on this board is another opportunity to serve the state.

SENATOR STEVENS disclosed that Mr. DeWitt had been a friend for many years. He asked, as a long-time Rotarian, how service on this board fits with the principal Rotary motto of "Service Above Self."

MR. DEWITT replied this service does fit with the concept of Service Above Self. He said he believes that it is important to see that people who come before the board can be assured that the members will listen and make fair judgements. He has time to contribute and this is part of what Rotarians do, he said.

[1:38:39 PM](#)

CHAIR COSTELLO opened public testimony on the appointment of Dennis DeWitt to the Alaska Labor Relations Agency; finding none, she closed public testimony.

CHAIR COSTELLO asked Anthony Ladd to introduce himself, provide a brief background, and share his interest in serving on the Alaska Workers' Compensation Board.

[1:39:05 PM](#)

ANTHONY LADD, Appointee, Alaska Workers' Compensation Board, Department of Labor and Workforce Development (DOLWD), Anchorage, Alaska, stated that he is a lifelong Alaskan who is currently residing in Anchorage and working as the business manager for the Iron Workers Local 751. He related that he currently sits on the Alaska Workforce Investment Board and is chair for the Assessment and Evaluation Committee. He has attended two workers' compensation board meetings and has participated as an observer on two cases. He understands that this is a working board and he looks forward to serving if confirmed. He related that his interest in this board is to be a voice for the workers to navigate workers' compensation and find ways to reduce costs of workers' compensation through safety, training, and reducing medical costs.

[1:40:24 PM](#)

CHAIR COSTELLO opened public testimony on the appointment of Anthony Ladd to the Alaska Workers' Compensation Board; finding none, she closed public testimony.

CHAIR COSTELLO asked Jason Motyka to introduce himself, provide a brief background, and share his interest in serving on the Alaska Workers' Compensation Board.

[1:40:52 PM](#)

JASON MOTYKA, Appointee, Alaska Workers' Compensation Board, Department of Labor and Workforce Development (DOLWD), Anchorage, Alaska, stated that he is a lifelong Alaskan who started his first business at age 25 and now has multiple tourism and hospitality businesses in both Anchorage and Denali National Park. He said he believes he would bring unique insight into the challenges facing small business owners in the state. He hopes to be part of developing a better system, helping make the state a better place to do business, and ensuring protection and fair treatment for workers.

CHAIR COSTELLO noted that his resume indicates he was the Alaska Small Business Person of the Year twice. She thanked him for his service to the state.

[1:43:21 PM](#)

CHAIR COSTELLO opened public testimony on the appointment of Jason Motyka to the Alaska Workers' Compensation Board; finding none, she closed public testimony.

CHAIR COSTELLO invited Mindy Swisher to introduce herself, provide a brief background, and share her interest in serving on the Board of Social Work Examiners.

[1:43:43 PM](#)

MINDY SWISHER, Appointee, Board of Social Work Examiners, Department of Commerce, Community and Economic Development, Palmer, Alaska, stated that she is a lifelong Alaskan who holds a master's degree and is a licensed clinical social worker. She advised that she is seeking reappointment and currently serves as chair. She related that for the past 14 years she has worked as manager of the Office of Children's Services. Her reason for serving on this board is to make sure that the social work field is protected and fairly regulated. She said she enjoys being part of formulating regulations and COVID-19 provided a unique opportunity to look at statutes and regulations with an eye toward better service to Alaskan families. She said she would

like to continue to serve on the board; she enjoys this as a way to give back to the state.

CHAIR COSTELLO asked what she sees as the number one challenge facing the board after the COVID-19 pandemic.

MS. SWISHER answered that the board has had ongoing conversations about the need for additional social workers and how to bridge the gap with licensure and applications. She said she looks forward to having a full board and looking for solutions.

CHAIR COSTELLO asked what it costs to receive a Bachelor of Social Work degree and a Master of Social Work degree.

MS. SWISHER replied it was affordable when she received her bachelor's degree from UAF many years ago because she qualified for in-state tuition.

[1:46:49 PM](#)

CHAIR COSTELLO opened public testimony on the appointment of Mindy Swisher to the Board of Social Work Examiners; finding none, she closed public testimony.

CHAIR COSTELLO asked Sharon Woodward to introduce herself, provide a brief background, and share her interest in serving on the Board of Social Work Examiners.

[1:47:10 PM](#)

SHARON WOODWARD, Appointee, Board of Social Work Examiners, Department of Commerce, Community and Economic Development, Juneau, Alaska, stated that she has been a social worker for 14 years, primarily working with the elder population. She related that she has worked as an investigator with Elder Protective Services and as the director of social services in long-term care in both Nevada and Alaska. She said long-term care is her passion and she would like to serve on this board to support and encourage the professionals who advocate for vulnerable populations.

CHAIR COSTELLO expressed appreciation for her interest in supporting the elderly population because that population is growing rapidly and elder abuse is a concern.

[1:48:19 PM](#)

CHAIR COSTELLO opened public testimony on the appointment of Sharon Woodward to the Board of Social Work Examiners; finding none, she closed public testimony.

CHAIR COSTELLO asked Dr. Gregory Johnson to introduce himself, provide a brief background, and share his interest in serving on the Board of Dental Examiners.

[1:48:43 PM](#)

DR. GREGORY JOHNSON, Appointee, Board of Dental Examiners, Department of Commerce, Community and Economic Development, Fairbanks, Alaska, stated that he became licensed in Alaska in 1986 and started practice as a pediatric dentist the following year. He would like to serve the state once again after serving on the Medical Care Advisory Committee and the Interior Community Health Center. He said he believes that his work and volunteer experience would be valuable to this board. His application demonstrates his willingness to give back to his community and state.

CHAIR COSTELLO noted that his resume indicates he served in the Army National Guard and she thanked him for serving in that capacity.

[1:50:14 PM](#)

CHAIR COSTELLO opened public testimony on the appointment of Dr. Gregory Johnson to the Board of Dental Examiners; finding none, she closed public testimony.

CHAIR COSTELLO invited Dorene Hagen to introduce herself, provide a brief background, and share her interest in serving on the Board of Professional Counselors.

[1:50:35 PM](#)

DORENE "DORI" HAGEN, Appointee, Board of Professional Counselors, Department of Commerce, Community and Economic Development, Homer, Alaska, stated that she has lived in Alaska off and on for 30 years and currently resides in Homer. She said she pursued professional counseling as an adult with a passion to help individuals who have found life difficult. She has been serving as a counselor for about 5 years. She said she applied to be a member of this board to ensure that ethical best practices are employed for the clients that counselors serve. She said she has not served on a board before and she looks forward to working with this team.

CHAIR COSTELLO noted that her resume reflects a wide range of experience. She asked if she wanted to share any experiences from her time spent as a missionary in Lebanon doing trauma counseling.

MS. HAGEN replied that she continues to grow and learn about trauma and how it affects a person's perception of their life. She said it was an honor to be invited to the Middle East to serve Syrian refugees coming out of the battlefield and offer practical tools to help children, moms, dads, and families cope and start moving forward.

1:53:37 PM

CHAIR COSTELLO opened public testimony on the appointment of Dorene "Dori" Hagen to the Board of Professional Counselors; finding none, she closed public testimony.

CHAIR COSTELLO asked Dr. Denise Albert to introduce herself, provide a brief background, and share her interest in serving on the Board of Veterinary Examiners.

1:54:10 PM

DENISE ALBERT, DVM; Appointee, Board of Veterinary Examiners, Department of Commerce, Community and Economic Development, Denali Park, Alaska, stated that she began serving on this board a year ago, just before COVID-19 hit. She has been a practicing veterinarian for 35 years who first came to Alaska to volunteer as a trail vet for the Iditarod race 26 years ago and continued to do so for the next 15 years. She has lived and practiced in Alaska for the last 20 years. She is now semi-retired and a colleague suggested she apply to serve on this board. She noted that her resume indicates she has served in multiple capacities of the profession in numerous locations nationwide. She said her broad view of the field and attention to detail would be helpful to the board.

DR. ALBERT said she has learned a great deal serving on the board this last year and looks forward to continuing in this capacity.

SENATOR STEVENS said he appreciates her resume and sees that her semi-retired life is not very semi.

SENATOR HOLLAND commended her for receiving the Golden Stethoscope Award from the Iditarod Finishers Club in 1997 and 2009.

1:58:15 PM

CHAIR COSTELLO opened public testimony on the appointment of Dr. Denise Albert to the Board of Veterinary Examiners; finding none, she closed public testimony.

CHAIR COSTELLO thanked her for her service.

CHAIR COSTELLO asked Nick Miller to introduce himself, provide a brief background, and share his interest in serving on the Marijuana Control Board.

1:58:45 PM

NICHOLAS "NICK" MILLER, Appointee, Marijuana Control Board, Department of Commerce, Community and Economic Development, Anchorage, Alaska, stated that he is currently serving in the industry seat. He would like to continue this service to work on improving the regulations in this maturing industry for the public and the industry as a whole. He noted that he and his wife own multiple licenses in the cannabis industry.

SENATOR STEVENS asked for a description of the changes he envisions.

MR. MILLER replied most of the changes relate to transporting product from one location to another. This can take time depending on the route and road conditions and there are not many options to overnight when driving from Fairbanks to Kenai, for example. This puts transporters in a difficult position if they have to drive that far on bad roads, he said.

2:00:31 PM

CHAIR COSTELLO opened public testimony on the appointment of Nicholas "Nick" Miller to the Marijuana Control Board.

2:00:46 PM

CHERYL BOWIE, representing self, Colorado, stated that she is a medical marijuana user and a licensed medical marijuana employee who relocated to Colorado from Alaska so she could work in the medical marijuana field. She said she opposes reconfirming members to this board, particularly for the industry and public seats. She voiced support for diversity and pointed out that there are many aspects of the marijuana industry besides recreational. She highlighted that the members of this board have done nothing to increase access in Alaska to medical marijuana. She said patients are priced out of the legal industry, putting them at risk. She cited progressive movements in the USDA and other states and advocated for creating seats on

this board to represent medical marijuana patients, and agriculture. Doing so would prevent people like herself from leaving Alaska to work in the medical marijuana area of the industry.

2:04:58 PM

LACY WILCOX, President, Alaska Marijuana Industry Association (AMIA), Juneau, Alaska, advised that the AMIA is the only statewide cannabis industry trade group. It has the mission to promote and advocate for a vibrant and reasonably regulated Alaska-based marijuana industry. On behalf of the AMIA, she stated support for the reappointment and confirmation of Nick Miller to the industry seat on the Marijuana Control Board. She said he holds multiple cannabis industry licenses and he meets the statutory qualifications of the industry seat. He is a founder of the Anchorage Cannabis Business Association and a member of the AMIA board. He provides sensible guidance to the board and understands both the urban and rural markets.

Addressing the prior speaker's concern about staying current with what is happening in the industry nationally, she said it is the duty of the AMIA to stay current on national standards and Mr. Miller's work with the association helps in the effort move forward on national issues.

2:08:03 PM

RYAN TUNSETH, representing self, Kenai, Alaska, advised that he owns a retail marijuana business in Kenai and he is speaking in support of the reappointment of Nick Miller to the Marijuana Control Board. He said Mr. Miller has gone out of his way to include all people in the industry and to disrupt the makeup of the board at this time would put licensees at a disadvantage.

2:10:03 PM

CHAIR COSTELLO closed public testimony on the appointment of Nick Miller to the Marijuana Control Board.

CHAIR COSTELLO asked Loren Leman to introduce himself, provide a brief background, and share his interest in serving on the Board of Registration for Architects, Engineers, and Land Surveyors.

2:10:37 PM

LOREN LEMAN, Appointee, Board of Registration for Architects, Engineers & Land Surveyors (AELS), Department of Commerce, Community and Economic Development, Anchorage, Alaska, stated that he was appointed in March 2020 to fill one of the civil engineer seats on the AELS Board. He said he realizes that many

on the committee are more familiar with him as a former elected official than his 47 years providing civil and environmental engineering services in every region of Alaska. When he agreed to apply for the position, he said he did not appreciate the work commitment. The board meets for two days four times a year and has work assignments between meetings. He said the board functions well but has thoughts on improvements and may bring those proposals to the legislature next session. He said he views this and his other service as giving back to the engineering profession and the state that has provided so much for his family and himself. He asked for the committee's support for himself and all the AELS Board nominees.

CHAIR COSTELLO said it has always been a pleasure to work with you.

SENATOR REVAK expressed appreciation for his continuing service to the community and state.

SENATOR STEVENS commented that Kodiak continues to consider him a Kodiak descendent.

2:15:48 PM

CHAIR COSTELLO opened public testimony on the appointment of Loren Leman to the Board of Registration for Architects, Engineers and Land Surveyors; finding none, she closed public testimony.

CHAIR COSTELLO asked Joy Collins to introduce herself, provide a brief background, and share her interest in serving on the Board of Marital and Family Therapy.

2:16:24 PM

JOY COLLINS, Appointee, Board of Marital and Family Therapy, Department of Commerce, Community and Economic Development, Anchorage, Alaska, stated that she is a lifelong Alaskan. She received a master's degree in psychology and marriage and family therapy in 2000 and received her license in 2003. As a registered play therapist, she said she works primarily with children and their families struggling with a variety of clinical issues. She relayed her interest in this board is to be a voice for her colleagues and help them understand policies the board implements. She said she considers herself to have strong ethics and integrity and she has the ability to look objectively at all sides of issues from both the client and therapist perspectives.

SENATOR GRAY-JACKSON asked what a play therapist does.

MS. COLLINS explained that there are many types of play therapy but generally, it is either directive or nondirective. Young people often cannot verbalize their feelings of the trauma they have experienced, but they use play to work through the trauma and this reduces their symptoms. Using puppets, sand trays, and art, the therapist helps the child play out and work through what they experienced. These types of therapy are also helpful as the child gets older because they don't need to look the therapist in the eye as they share difficult issues or traumas they've experienced.

[2:19:29 PM](#)

CHAIR COSTELLO opened public testimony on the appointment of Joy Collins to the Board of Marital and Family Therapy; finding none, she closed public testimony.

CHAIR COSTELLO expressed appreciation that she stepped up to serve the state.

[2:19:55 PM](#)

SENATOR HOLLAND stated that in accordance with AS 39.05.080, the Senate Labor and Commerce Standing Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

Alaska Labor Relations Agency

Tyler Andrews - Anchorage

Dennis DeWitt - Juneau

Alaska Workers' Compensation Board

Anthony Ladd - Anchorage

Jason Motyka - Anchorage

Board of Social Work Examiners

Mindy Swisher - Palmer

Sharon Woodward - Juneau

Board of Dental Examiners

Gregory Johnson - Fairbanks

Board of Professional Counselors

Dorene "Dori" Hagen - Homer

Board of Veterinary Examiners

Denise Albert - Denali Park

Marijuana Control Board
Nicholas "Nick" Miller - Anchorage

Board of Registration for Architects, Engineers & Land Surveyors
Loren Leman - Anchorage

Board of Marital & Family Therapy
Joy Collins - Anchorage

Signing the reports regarding appointments to boards and commissions in no way reflects individual members' approval or disapproval of the appointees; the nominations are merely forwarded to the full legislature for confirmation or rejection.

CHAIR COSTELLO found no objection and the names were forwarded.

SB 40-VETERANS' BENEFITS SERVICES; DISCLOSURE

[2:21:04 PM](#)

CHAIR COSTELLO announced the consideration of SENATE BILL NO. 40 "An Act relating to veterans' benefits services and veterans' benefits appeal services."

She said this is the first hearing in this committee and the intention is to hear the introduction, take invited and public testimony, and look to the will of the committee.

[2:21:39 PM](#)

SENATOR REVAK, speaking as sponsor of SB 40, stated that this legislation addresses the issue that some for-profit veteran service providers are preying on veterans who find they need legal, medical, and other services and are unaware that these services are available at no cost to the veteran through a Veteran Service Organization (VSO). Some for-profit providers are taking a good portion of a veteran's benefits in exchange for filling out an application to receive needed services.

SB 40 essentially says that these for-profit businesses must disclose to the veteran that their services may be obtained free of charge from a VSO.

[2:23:34 PM](#)

SETH DUGGAN, Staff, Senator Josh Revak, Alaska State Legislature, Juneau, Alaska, read the following sponsor statement into the record:

When a veteran needs legal representation, medical supplies, or other services, many are not aware that a Veteran Service Organization (VSO) provides many services free of charge. Instead, they pay hefty fees to other providers and take on debt without being fully informed about their free options.

2:23:57 PM

SB 40 seeks to stop veterans from being taken advantage of by requiring these individuals and businesses who offer compensated veterans services to provide veterans a written disclosure form listing the free alternatives prior to taking them on as a client. Additionally, any advertisement for veteran benefit services will be required to include a disclosure that indicates that a Veteran Service Organization offers these services free of charge. Should the veteran not receive the disclosure, the individual or business responsible can be fined \$1,000 dollars for each violation.

Currently, there are 18 Veteran Service Officers in Alaska who work under organizations such as the Veterans of Foreign Wars (VFW), American Legion, Disabled American Veterans (DAV), the Vietnam Veterans of America (VVA), and the Director of Veterans Affairs. These organizations are responsible for aiding and advising veterans free of charge.

The passage of SB 40 ensures that veterans and their families who are looking for assistance with veterans benefit services are fully informed about the free services offered by Veteran Service Organizations before they pay for assistance. After making so many sacrifices to serve our country, veterans are being taken advantage of—SB 40 seeks to change this reality and help connect veterans to the affordable services they deserve.

2:25:37 PM

CHAIR COSTELLO asked if it was intentional that the legislation has no effective date.

MR. DUGGAN deferred the question to Director Bowen.

SENATOR STEVENS asked for examples of how veterans are taken advantage of and if the for-profit providers should be prohibited altogether.

SENATOR REVAK cited the example of a law firm helping a veteran with a claim. The firm enters into a contract with the veteran to file the claim in exchange for a percentage of the benefit. Sometimes the percentage is high and the veteran does not know that a VSO offers the same service free of charge. He acknowledged that some veterans may choose a for-profit business, but the bill ensures that they know about the no-cost alternative.

SENATOR STEVENS asked if the for-profit providers fill a valuable niche.

SENATOR REVAK replied we wouldn't want to do away with the services provided free of charge to veterans, many of which are nonprofits working in conjunction with the state through the Division of Veterans Affairs. He described it as a public-private partnership.

[2:27:56 PM](#)

SENATOR HOLLAND added that many good faith providers are probably veterans. This bill is to ensure that veterans understand that there is an alternative to paying for representation. He acknowledged that it sometimes would be worth paying for the service if an expert in the field is needed.

SENATOR REVAK related that he received wonderful service from disabled veteran organizations when he was reintegrating to become a veteran. However, he has learned about veterans who were offered services for up to 30 percent of the benefits they would receive.

CHAIR COSTELLO invited Verdie Bowen to provide information and state the administration's position on the bill.

[2:29:32 PM](#)

VERDIE BOWEN, Administrative Director of Veterans Affairs, Office of Veterans Affairs, Department of Military & Veterans Affairs (DMVA), Anchorage, Alaska, said he had not asked the governor for his position on SB 40 but he thought he would support it. He related that a number of veterans have forgotten that they signed paperwork with a law firm in another state and are very surprised when the benefit they receive is up to 40 percent less than what they expected. The law says that entities

serving at cost are paid before the veteran. He said his office sees one or two of these veterans a month and the shame is that they did not know that they could have received the same service free of charge.

Responding to Senator Stevens' question, Mr. Bowen said private sector attorneys serve a purpose when a certain expertise is needed and some serve pro bono for veterans.

SENATOR STEVENS asked if he had any idea of the numbers of veterans that have been affected.

[2:32:21 PM](#)

MR. BOWEN replied the average is probably 50 veterans a year. He explained that prior to the 2017 Appeals Modernization Act it was not legal for for-profit law firms to charge veterans for these services. He said his office is seeing more veterans caught in this legal loophole every month.

[2:33:18 PM](#)

CHAIR COSTELLO opened public testimony on SB 40; after determining no one wished to testify, she closed public testimony on SB 40. She noted the letters of support in the bill packets.

[2:33:38 PM](#)

At ease

[2:34:02 PM](#)

CHAIR COSTELLO reconvened the meeting and solicited a motion.

[2:34:06 PM](#)

SENATOR HOLLAND moved to report SB 40, work order 32-LS0231\A, from committee with individual recommendations and attached fiscal note(s).

CHAIR COSTELLO found no objection and SB 40 was reported from the Senate Labor and Commerce Standing Committee.

[2:34:35 PM](#)

There being no further business to come before the committee, Chair Costello adjourned the Senate Labor and Commerce Standing Committee meeting at 2:34 p.m.